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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

**RICHARD DIAZ,**

Petitioner,

V.

## **DERRAL ADAMS, Warden,**

## Respondent.

C 07-2612 VRW (PR)

**DECLARATION OF ALLAN  
YANOW IN SUPPORT OF  
APPLICATION FOR  
ENLARGEMENT OF TIME**

I, Allan Yannow, am the California response to the Order to Show Cause in this case.

2. This case involves a petition for writ of habeas corpus filed by a California inmate who is challenging his conviction of robbery. The Order to Show Cause was filed on September 4, 2007. That Order required respondent to show cause within 60 days why the petition for writ of habeas corpus should not be granted.

3. I have almost completed the response to the Order to Show Cause, and am requesting the additional time so that I can complete it and submit it through our office's reviewing process.

1           4. In the past 30 days I have filed an opposition to a petition for writ of certiorari in  
2 *Tamara Gomez v. State of California*, No. 07-194, and am in the process of drafting a brief in the  
3 Ninth Circuit in *Daniels v. Henry*, No. 07-15728, a case involving a habeas corpus petitioner  
4 challenging her conviction of second degree murder. I have also filed a brief in *People v. Bergara*,  
5 No. H030747, in which the appellant, who was convicted of several sexual and drug offenses and  
6 who was sentenced to a term of life with the possibility of parole, filed a 78 page brief.

7 5. Since petitioner is proceeding in pro per, I have not attempted to obtain a stipulation.

I declare under penalty of perjury that the foregoing is true and correct.

9 Executed at San Francisco, California on November 2, 2007.

10 ||

/s/ Allan Yannow

**ALLAN YANOW**  
Deputy Attorney General  
Attorney for Respondent

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SE2007402444

**DECLARATION OF SERVICE BY U.S. MAIL**

Case Name: **Richard Diaz v. Derral Adams, Warden**

No.: **C 07-2612 VRW (PR)**

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or older and not a party to this matter. I am familiar with the business practice at the Office of the Attorney General for collection and processing of correspondence for mailing with the United States Postal Service. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service that same day in the ordinary course of business.

On November 2, 2007, I served the attached

**APPLICATION FOR ENLARGEMENT OF TIME;**

**DECLARATION OF ALLAN YANOW IN SUPPORT OF APPLICATION FOR ENLARGEMENT OF TIME;**

**[PROPOSED] ORDER**

by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the internal mail collection system at the Office of the Attorney General at 455 Golden Gate Avenue, Suite 11000, San Francisco, CA 94102-7004, addressed as follows:

**Richard Diaz  
T-98081  
California State Prison - Corcoran  
P.O. Box 3471  
Corcoran, CA 3212-3471**

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on November 2, 2007, at San Francisco, California.

J. Wong

Declarant

  
Signature